

REMARKS

Claims 1-26 were pending at the time of the Office Action. Claims 3, 4, 10, 11, 17, 20-23, and 26 are cancelled without prejudice in this response. Claims 1, 2, 5, 8, 9, 12, 17-19, 24, and 25 are amended. Claims 27-32 are new claims. No new matter is added. Claims 1, 2, 5-9, 12-19, and 24-32 are pending at this time. Claims 1, 5, 8, 12, 15, 18, and 24 are independent claims. Reconsideration and allowance of the above-referenced application are respectfully requested.

35 U.S.C. § 101

Claims 8-14 are objected to because of alleged informalities. Claims 8 and 12 are amended according to the suggestions in the Office Action, thereby obviating the objections. Accordingly, Applicants respectfully request that the objections to claims 8-14 be withdrawn.

35 U.S.C. § 102

Claims 1-26 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Rom et al. (US 6,252,849), hereinafter "Rom." The cancellation of claims 3, 4, 10, 11, 17, 20-23, and 26 obviates the rejection of these claims. The rejection of the claims is obviated by the claim amendments.

As amended, claim 1 relates to receiving a plurality of packets at a plurality of first locations in a first switching device. The first switching device is operatively coupled to a second switching device to transmit the plurality of packets to a plurality of second locations at the second switching device. Each second location in the second switching device is configured to receive packets from one or more first locations and other second locations. Further, a message is received at

the first switching device from the second switching device for regulating packet flow. The message identifies a congested second location in the second switching device. In response to receiving the message, packet transmission from the first switching device to the second switching device is slowed.

Rom describes an information network including network switches capable of routing information packets received via input ports to output ports. In Rom, received packets are held in buffers of the output ports before being transmitted via the output ports. A portion of each output port is allocated to each input port. The network switch provides a PAUSE frame to an upstream source coupled to an input port. If a level of occupancy of the portion of the buffer allocated to the input port exceeds a first level, the PAUSE frame is provided to the upstream source. The PAUSE frame inhibits the upstream source from transmitting packets to the input port. See, e.g., Rom at Abstract.

Rom does not describe the claimed subject matter. As claimed, the second location in the second switching device is configured to receive packets from one or more first locations and other second locations. Rome does not describe this feature. In Rome, a switch includes input ports and output ports, where data packets are transmitted from input ports to output ports. Rome does not describe that an input port is configured to receive packets from other input ports. Further, Rome does not describe that an output port is configured to receive packets from other output ports.

Further, Rom does not describe that a message is received for regulating packet flow including a port that is congested. In contrast, Rom describes that if the level of occupancy of the portion of buffer allocated to the input port exceeds a first level, then a PAUSE frame is transmitted to an upstream source.

Thus, Rom does not describe "receiving a message for regulating packet flow on the first switching device from the second switching device, the message including a second location in the second switching device that is congested," as claimed.

At least for these reasons, the rejections cannot be sustained. Accordingly, Applicant respectfully requests that the rejection of claim 1 and claims dependent therefrom under 35 U.S.C. § 102(b) be withdrawn. Applicant requests that the rejections of claims 5, 8, 18, 24 and all claims dependent from each of these claims also be withdrawn at least for reasons similar to claim 1.

With respect to claims 15 and 24, Rom does not describe transmitting a message wherein the message identifies a congested port in the second switching device, as claimed. Accordingly, Applicant respectfully requests that the rejection of claim 15 and all claims 15 and 24, and all claims dependent from each of these claims be withdrawn.

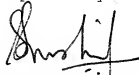
#### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant asks that all claims be allowed. Please apply any credits or charges to deposit account 06-1050.

Respectfully submitted,



Date: Dec. 3 '07.

---

Sushil Shrinivasan  
Reg. No. L0368

Fish & Richardson P.C.  
PTO Customer No.:20985  
12390 El Camino Real  
San Diego, California 92130  
(858) 678-5070 telephone  
(858) 678-5099 facsimile

10779913.doc